

JAMES EDWARD DUNCAN III,

Plaintiff,

v.

ERICK KELLY, ANDREW ISAACS,
CHARLOTTE MECKLENBURG POLICE
DEPARTMENT, and CITY OF CHARLOTTE,

Defendants.

Here, Plaintiff's motion for entry of default requests entry of default against all Defendants, but provides no grounds by which this Court may enter default. Defendants timely responded to the Amended Complaint, within 14 days, by filing a joint motion to dismiss for failure to state a claim pursuant to Rule 12(b)(6). Plaintiff responded to the motion to dismiss. (Doc. No. 23). Accordingly, Defendants timely defended against Plaintiff's Amended Complaint and default may not be entered.

IT IS, THEREFORE, ORDERED that Plaintiff's motion for entry of default (Doc. No. 24) is **DENIED**.

Signed: March 22, 2022

A handwritten signature in black ink, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

